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SENATE BILL 3196

By Miller J

AN ACT to repeal Chapter 172 of the Private Acts of 1979; to provide for election of the Board of Education for Loudon County, Tennessee, and to provide for duties, powers and compensation for the members of such board of education.

Whereas, the county legislative body of Loudon County has reapportioned itself into seven (7) districts and has established the Loudon County school districts as coextensive with the county legislative body districts; and

Whereas, the county legislative body of Loudon County has determined that ten (10) members should be elected to the board of education; and

Whereas, Chapter 172 of the Private Acts of 1979, which established the Loudon County Board of Education and which has not been amended, calls for the election of nine (9) members of the board of education; and

Whereas, although Chapter 172 of the Private Acts of 1979 provides that all members of the board of education shall be elected to four (4) year terms in the same year, the members of the board of education are presently elected to staggered four (4) year terms in compliance with Tennessee Code Annotated, Section 49-2-201; and

Whereas, the members of the even-numbered Districts are to be elected at the August 2002 election and the members of the odd-numbered Districts are to be elected at the August 2004 election with the exception of the member from new District 7 who shall be elected to an initial two (2) year term in August 2002, and in the election of August 2004 and every four (4) years thereafter a four (4) year term; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 172 of the Private Acts of 1979, is repealed in its entirety.

SECTION 2. The county board of education of Loudon County shall consist of ten (10) members to be elected from the seven (7) county legislative body districts as follows: District 1 shall elect two (2) members; District 2 shall elect two (2) members; District 3 shall elect one (1) member; District 4 shall elect one (1) member; District 5 shall elect two (2) members; District 6 shall elect one (1) member; and District 7 shall elect one (1) member. The new board member position created in District 7 shall be filled by election of the registered voters of District 7 at the general election for county offices in August, 2002. The initial term of office shall be for two (2) years. At the county general election in August, 2004 and every four (4) years thereafter, the position shall be filled for a four (4) year term. In the event of a vacancy on the board of education, the county legislative body shall appoint a successor to fill the position until the next general election. Each member of the county board of education shall be a resident of the district from which such member is elected.

SECTION 3. The duties and compensation of members of the county board of education shall be as provided by law.

SECTION 4. Nothing in this act shall be construed as having the effect of removing an incumbent from office or abridging the term of any official prior to the end of the term for which he was elected.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Loudon County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 6.